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Attorneys for Plaintiff,

The Bank of New York Mellon f/k/a The Bank of New York as successor to JPMorgan Chase Bank, not individually but solely as trustee for the holders of the Bear Stearns ALT-A Trust 2005-1, Mortgage Pass-Through Certificates, Series 2005-1

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

11 THE BANK OF NEW YORK MELLON F/K/A
12 THE BANK OF NEW YORK AS
13 SUCCESSOR TO JPMORGAN CHASE
14 BANK, NOT INDIVIDUALLY BUT SOLELY
15 AS TRUSTEE FOR THE HOLDERS OF THE
16 BEAR STEARNS ALT-A TRUST 2005-1,
17 MORTGAGE PASS-THROUGH
18 CERTIFICATES, SERIES 2005-1,

Plaintiff,

vs.

19 PREMIER ONE HOLDINGS INC., a Nevada
20 corporation; YING M. SHIH, an individual;
21 SMM Capital LLC, a Nevada limited liability
22 company; BIN ZHANG, an individual;
23 AMBER HILLS II HOMEOWNERS'
24 ASSOCIATION, INC., a Nevada non-profit
25 corporation; ABSOLUTE COLLECTION
26 SERVICES LLC, a Nevada limited liability
27 company; DOE INDIVIDUALS I through X;
28 and ROE CORPORATIONS I through X,
inclusive,

Defendants.

Case No.: 2:17-cv-00737-JCM-VCF

DEFAULT JUDGMENT

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1 This real property dispute arises from competing claimed rights and interests of
2 residential property located at 9580 W. Reno Avenue Unit 201, Las Vegas, NV 89148
3 (“Property”). Now before the Court is Plaintiff, The Bank of New York Mellon f/k/a The Bank
4 of New York as successor to JPMorgan Chase Bank, not individually but solely as trustee for
5 the holders of the Bear Stearns ALT-A Trust 2005-1, Mortgage Pass-Through Certificates,
6 Series 2005-1 (hereinafter “BNYM”)’s Application for Default Judgment [ECF No. 44].

7 The Court having reviewed the pleadings and papers on file, being fully advised in the
8 premises, and good cause appearing therefor, enters Judgment in favor of BNYM on its quiet
9 title and declaratory relief claims against Defendants PREMIER ONE HOLDINGS INC.
10 (“Premier One”); YING M. SHIH (“Shih”); SMM Capital LLC (“SMM”); and BIN ZHANG
11 (“Zhang” and collectively with Premier One, Shih and SMM as “Defendants”) as follows:

12 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Judgment is hereby
13 entered in favor of BNYM against the Defendants on BNYM’s quiet title and declaratory relief
14 claims.

15 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the Deed of Trust
16 recorded on October 26, 2004 in the official records of Clark County Recorder’s Office as Book
17 and Instrument Number 20041026-0004778 (“BNYM Deed of Trust”) still encumbers the
18 Property, and that the Deed of Trust was not extinguished by the HOA Sale held on April 16,
19 2013, whereby the Premier One purportedly acquired its interest in the Property;

20 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that BNYM Deed of
21 Trust is senior in priority to any interest held by Defendants, Shih, SMM and Zhang pursuant to
22 the Deeds of Trust recorded in the official records of Clark County Recorder’s Office as Book
23 and Instrument Numbers 201305310004365 and 201611290001457 following the HOA Sale;

24 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the BNYM Deed
25 of Trust is superior to the interest of the Defendants, including any of their successors and
26 assigns, in the Property;

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IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that BNYM may foreclose on the BYNM Deed of Trust as allowed by Nevada law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that a copy of this Judgment may be recorded in the official records of Clark County Recorder's Office.

IT IS SO ORDERED November 28, 2017.

James C. Mahan
UNITED STATE DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned, an employee of Wright, Finlay & Zak, LLP, hereby certifies that on the 17th day of November, 2017, a true and correct copy of **DEFAULT JUDGMENT** was served by electronic delivery through the Court's CM/ECF system as follows:

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An Employee of Wright, Finlay & Zak, LLP